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The Negro in Richmond on the Eve of and during the Civil War

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THE NEGRO IN RICHMOND ON THE EVE OF
AND DURING THE CIVIL WAR

by

G. H. Reid

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G. H. Reid

Table of Contents

	Page
Chapter I - Population -----	1
Chapter II - Religious and Social Life -----	3
Founding of the First African Baptist Church -	3
Number of churches in Richmond in 1860 -----	5
Services in the African Churches -----	7
A Negro funeral -----	9
Dress and appearance of Negroes on Sunday ----	10
Chapter III - Slave Trade -----	12
Location of slave marts -----	12
Description of slave marts -----	13
Agents for slaves -----	14
Taxation of slave agents -----	16
Inspection of slaves offered for sale -----	18
Prices of slaves -----	19
Slaves given voice in the selection of Masters	20
Chapter IV - Slave Labor -----	21
Slave labor in the Tredegar Iron Works -----	21
Life in the Tredegar Iron Works -----	24
A striking case of manumission--Emmanuel Quivers	26
Slave labor in the tobacco factories -----	27
of	
Criticism the treatment of the factory slaves	30
Domestic slaves -----	31
Negro labor on public works -----	34

Table of Contents (continued)

	Page
Chapter V- Legal Status of the Negro -----	37
Free Negroes not allowed to come into the State to take up permanent residence -----	37
Free Negroes required to register -----	38
Ordinances governing free Negroes -----	40
Penalty for unlawfully beating a slave -----	41
Trading with Negroes -----	41
Unlawful assemblage of Negroes -----	44
Restriction ^s on streets, sidewalks, and in public places -----	48
Negroes not allowed to keep dogs or hogs -----	50
Penalty for destroying public property -----	51
The case of the runaway slave Anthony Burns ----	52
Bibliography -----	55
Vita -----	59

Chapter I

Population

Richmond, the capital of Virginia, had a total population of 27,570 in 1850. (1) Of this number there were 15,274 white people and 12,296 Negroes. There were 2,369 free colored of which 1,075 were males and 1,294 females. This gave Richmond a total free population of 17,643. Of the 9,927 Negro slaves within the city 5,307 were males and 4,620 were females. These figures show that just eleven years before the beginning of the Civil War the population of Richmond was forty-four per cent Negro. Nineteen per cent of the Negro population, or eight per cent of the total population, came within the classification of free Negroes.

During the ten year period from 1850 - 1860 Richmond grew until she boasted of a total population of 37,910 in 1860. (2) Included in the above number were 23,635 whites and 14,275 or thirty seven per cent Negroes. Of the Negro population 11,699 or eighty one per cent were slaves and 2,576 or nineteen per cent were free. These figures show that the white population was increasing more rapidly than the Negroes because the Negroes in 1850 made up forty-four per cent of the total population and in 1860 they represented only thirty-seven per cent or a decrease of seven per cent.

In regard to percentage of free Negroes Richmond was

(1) United States Census of 1850, P. 258.
(2) United States Census of 1860,

below the average for the majority of Virginia cities. (3) In 1860, as stated above, nineteen per cent of Richmond's Negro population were free. At the same time Alexandria had fifty per cent of its Negro population free, Winchester forty-nine per cent, Petersburg thirty-six per cent, Fredericksburg twenty-five per cent, Norfolk twenty-four per cent, and Lynchburg thirteen per cent. Though below the average for the cities of the State, Richmond was above the average for the State as a whole which had a total population of 1,658,190 of which 1,087,918 were whites, 59,118 free Negroes, and 511,154 slaves. (4) These figures show thirteen per cent of Virginia's Negro population to be free. The same census shows that thirty-four per cent of the total population of Virginia were Negroes.

(3) Jackson, Luther P.- "Mammision In Certain Virginia Cities" - Journal of Negro History, Vol. 15, 1930.
Foot note P. 236

(4) United States Census of 1860.

Chapter II

Religious and Social Life

During the ten year period preceding the beginning of the Civil War there was great growth in the number of Negro Churches throughout the entire State. (1) The white churches of Richmond were led by the Baptist in their efforts to uplift the Negro. Especially was this true of the First Baptist which in reality is the mother of the First African Baptist Church which was established in 1841.

The First African Baptist Church of Richmond was founded because of the overcrowding of the white membership in the First Baptist Church by the overwhelming Negro membership. The Negroes, just prior to the establishing of a church for them by the whites, outnumbered the white membership in the First Baptist Church by about five to one. (2) Largely because of this condition and because the church officials felt that both races could accomplish much more if they had separate churches, the white membership of the First Baptist Church decided to build a new building and sell the old one to the Negroes. The question of whether or not the law of the State would allow a distinct organization for colored worshippers caused much discussion. This was finally settled after consulting some of the ablest lawyers of the city. The First

(1) Jackson, Luther P.- "Negro Religious Development in Virginia"- Journal of Negro History, Vol.16,1931, P.209
 (2) Ibid- P. 254

Church determined to guard against possible danger of violating the State law by appointing a committee of eighteen men (twelve from the First Baptist Church, four from the Second Baptist, two from the then Third Baptist but now Grace) to act as supervisors of the African Church. This committee was to elect the pastor, and two of them were to be present with him at all the gatherings for public worship. (3) Dr. Jeter, the pastor of the First Baptist Church, wrote the constitution for the African Church. "It provided for the selection of thirty deacons from among the colored members, and a white pastor, by the Supervising Committee, subject to the approval of the whole colored membership." (4) The Board of deacons and the pastor constituted the ruling power in the church, however, unsatisfactory decisions made by these could be appealed to the Supervising Committee. Dr. Robert Ryland, then the President of Richmond College, was chosen as the first pastor of the First African Baptist Church and entered upon his duties as the pastor of the First Negro Church in Richmond on the first Sunday in October, 1841. (5) There were about one thousand members on the roll of this newly organized congregation. In this action of the First Baptist Church of Richmond may be found the movement which was soon to lead to the establishment of other churches for the colored population of Richmond.

(3) Ryland, Robert- Origin and History of the First African Baptist Church, P. 249.

(4) Ibid - P. 251.

(5) Ibid - P. 254.

By 1860 the Richmond Directory listed four African Baptist Churches and one African Methodist Church. (6) Alongside of the four African Baptist Churches were four white Baptist Churches each of which supervised one of the African Churches much in the same way as the First African Church was supervised by the First Baptist. (7) In addition to the African Churches already mentioned there was a Sunday School for Negroes established in 1852 by the St. James Episcopal Church. This Sunday School began with eight teachers and fifty scholars but failed to grow as rapidly as did the Baptist organizations. Interest in uplifting the character of the Negroes is shown by this statement made by the Superintendent of the Episcopal Sunday School, "If every church would establish and sustain one Sunday School, it could not fail to effect a most happy change in the character and habits of servants." (8)

One of the African Baptist Churches found in Richmond in 1860 came into existence as the result of the great increase in membership in the First African Church. By 1855 the membership of this church had increased so that plans were made for the formation of a daughter church. Thus it was that in 1858 the Ebenezer Church was dedicated and placed under the supervision of a white church - a daughter of the

(6) Richmond Directory - 1860 - P.P. 44-45

(7) Jackson, Luther P. - "Negro Religious Development in Virginia"- Journal of Negro History, Vol.16, 1931, P. 222

(8) Ibid - P. 231

First African Church and a grand-daughter of the First Baptist Church. (9)

From the time of its beginning in 1841 until July 1, 1860 there were 3,832 additions to the First African Baptist Church by baptism under the wise and able leadership of Dr. Ryland. The applicants for admission were always required to bring testimonials of good or improving character and each candidate for baptism was examined by some deacon or experienced member. After this examination by one of the brethren the applicants were then brought before the pastor who satisfied himself in regard to their fitness to become members of the church. (10) Once in the church, the Negroes were subject to all the rigid discipline of that body. To inquire into the moral life and soul of its members was one of the main reasons for the existence of the church. Whenever church meetings were held for the airing of charges against any of its members they in no small degree took the aspects of a regular court. Lying, stealing, gambling, fornication, irregular sex habits of any kind, drunkenness, use of profane language, quarreling, fighting, theater and circus attendance, dancing, and mode of dress were all subjects for which church members were brought before the church. Often the accused were given a strong moral lecture and released having thus been humiliated before their church, but

(9) Ryland, Robert - Origin and History of the First African Baptist Church - P. 261.

(10) Ibid - P. 262.

in the more serious cases there were instances of ex-communication. (11) In regard to the Negroes raising means for meeting church expenditures, Dr. Ryland gives the following explanation concerning his (First African) Church: (12) Many of the church members were free Negroes who were good mechanics, waiters, drivers, and barbers, and therefore were able to make a living wage. The masters of slaves provided them with food, clothing, shelter, and other necessary provisions, and in addition to this, many of these masters gave their slaves a chance to make a little extra money. In the factories the hands were usually assigned tasks and by working overtime and doing "overwork" were able to make extra money for themselves.

The principal service of the African Churches took place in the afternoon when the greater number of servants were able to attend. (13) Dr. Ryland tells of the difficulty which he had at one time in getting the members of his congregation to get to church for the opening of the service. (14) At first he thought perhaps the masters were keeping the servants late for work, but upon investigation he found that this was not true. He was also cognizant of the fact that the Negroes were always on time for a funeral or a

(11) Jackson, Luther P. - "Negro Religious Development in Virginia" - Journal of Negro History, Vol. 16, 1931, P. 219

(12) Ryland, Robert - Origin and History of the First African Baptist Church - P. 291

(13) Jones - Life in the South - P. 189.

(14) Ryland, Robert - Origin and History of the First African Baptist Church - P. 257.

wedding, or at any time they really desired. ^{After} finding that attempting to appeal to them and persuade them to be more prompt in attending services was to no avail, he induced the Board of Deacons to order the gates to the churchyard to be closed forty-five minutes after the beginning of services. This was done to exclude the late comers in order that they might not interrupt the sermon. The practice of closing the gates proved effective and the evil being corrected, the rule was suspended after six months.

The sermon by the white pastor was preceded by a song and prayer service which usually lasted for nearly an hour. Though Negroes were never invited to occupy the pulpit, they often took an active part in this song and prayer service. (15) The singing was led by a large number of Negroes belonging to an organized choir. No musical instrument was ever used but there was harmony which was characteristic of the Southern Negroes and extremely pleasing. At times when the large congregation poured out its full soul in some of the old fashioned songs, "There was a sound that reminded one of the 'sound of many waters.'" (16) Alternate hymns and prayers occupied a large portion of the Negro Church service. Many of the abler Negro men would be called upon to pray several times at each religious service. They always seemed pleased to be recognized and called upon and

(15) Jones - Life in the South - P. 190

(16) Ryland, Robert - Origin and History of the First African Baptist Church - P. 259.

some of them often prayed long prayers, quoting from the Bible and from hymns which they used. During prayers the congregation usually knelt and all through the prayer women would rock, twist and go through all kinds of contortions as if in mortal anguish. They were continually uttering low moans, whines, and even cries which seemed to urge the speaker on with renewed energy as the demonstration and prayer grew louder as they proceeded. (17)

Olmstead tells of a Negro funeral which he witnessed in Richmond in December 1853. (18) The hearse, drawn by two horses, was described as being decent and of the usual type used during that period. The service, held at the grave, was conducted by Negroes with no white persons present except Mr. Olmstead and one other white man, who, though he stayed in the back-ground and had nothing to say, was no doubt an officer or witness of some kind present to fulfill the law which required that at all such meetings or gatherings of Negroes some white person or persons had to be present. (19)

The Negroes on the whole were of very poor appearance though there were a few who were fairly decently dressed and respectable looking. One of these conducted the burial service in a manner which displayed earnestness and solemnity.

(17) Jones - Life in the South - P.P. 190 f.f.

(18) Olmstead, Frederick Law - A Journey in the Seaboard Slave States in the Years 1853-1854. P.P. 26 - 30

(19) Acts of the General Assembly 1847 - 1848, P. 120

During the song service one Negro would lead for a while by chanting the words of the song and then the crowd would repeat these in unison in a low mournful chant. When one leader would tire another would take his place. Thus the funeral music, peculiar to the Negro, wild and barbaric, went on for a considerable period of time until the grave had been filled and the mound raised. There was much weeping on the part of the Negro women which at times became very mournful.

Sunday was a gala day for the Negroes in Richmond. Dressed in their finery they would turn out in full force and taking possession of the streets constituted a curious spectacle to strangers. (20) Olmstead said that on such occasions some of the colored people seemed to be dressed in the cast off clothes of the whites. (21) Many of the articles of clothing were of expensive materials and of the latest fashion from the finest French cloth. Embroidered waistcoats, silk hats, and kid gloves were quite common among the well dressed colored men. Not only were the colored men dressed in such finery, but the women were at times dressed in expensive material and also often with good taste. "Many of them were quite attractive in appearance, and some would have produced a decided sensation in any European drawing room". (22) Some of the women wore satin

(20) Richmond Whig and Advertiser - June 19, 1860

(21) Olmstead, Frederick Law - A Journey in the Seaboard Slave States in the Years 1853-1854 - P.P. 29-31

(22) Ibid - P. 31

bonnets, handsome veils, silk dresses often sweeping the ground, and carried stylish parasols.

These colored gentry sometimes left visiting cards at each others kitchens, and on the occasion of a wedding, the cards of the two contracting parties were connected by a piece of bright, narrow ribbon. (23)

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(23) Mordecai, Samuel- Richmond in By-gone Days P. 356

Chapter III

Slave Trade

Whenever foreigners or visitors from the North came to Richmond one of the chief activities of the city which they expressed a curiosity to see was the selling and hiring of Negro slaves. (1) This business was recognized as of such interest to the general public that the directories of the period usually indicated resident traders. Some of the traders did not like to be listed as such and whenever they dealt in other things they avoided this by being listed as general agents, brokers, commission merchants, or auctioneers. Richmond was considered the best place in the State for the selling of slaves at good prices and without publicity as to ownership. "Speculators, planters, farmers, and urban purchasers of domestic servants for their own use, all preferred to go to Richmond for Negroes, because this indicated a certain social as well as a financial advance." (2)

The marts, offices, and jails for the handling of slaves were not in secret places. The Exchange Hotel, the leading inn in the city at the time, was located on the corner of Franklin and Fourteenth Streets and about the center of the business area of the city. (3) This build-

(1) Bancroft, Frederick L. Slave Trade in the Old South P. 95.

(2) Ibid - P. 96

(3) Ibid - P. 95

ing contained the post-office and the offices of not less than five agents dealing in slaves. In this same immediate neighborhood there were four churches and the City and St. Charles Hotels, at numbers 4 and 8 Fifteenth Street. This street was often referred to as Wall Street because the leading banking houses and brokerage firms of the city were grouped there. Odd Fellow's Hall was midway between Fourteenth and Fifteenth Streets on the corner of Franklin Street and what was known as Locust Alley below and Mayo Alley above Franklin Street. This was a short street but on it could be seen the red flags of many auction houses. In 1860 the Odd Fellow's Hall had become one of the busiest of Richmond's many slave marts with at least six traders on Locust Alley just around the corner from the Hall. (4) Most of these auction rooms were long, bare shop rooms with the back end railed off as an office space. The floors were bare and around the walls seats for from twenty five to fifty people were provided. There was usually one large stove used for heating the room. The auction block was in the rear of the main room and near the improvised office. (5)

Nearby these auction houses or slave marts, often to the rear of them, could be found buildings over the entrance to which could be found the word "jail". These so

(4) Bancroft, Frederick L. - Slave Trade in the Old South
P. 99

(5) Ibid P. 103.

called jails were not places where those who had violated some law were kept, but they were a kind of boarding house where slave traders and masters might keep their slaves pending their sale. Some of these jails were operated in connection with the auction houses while others were operated by individuals who made the boarding of slaves their sole business.

The same agents who sold slaves also often acted as rental agencies for the owners of slaves very much as most of the real estate firms of today not only buy and sell real estate but also act as rental agents. Then there were those places that were listed only as rental agents. One of the Richmond newspapers of 1858 carried advertisements for six agencies for the hiring out of Negroes. (6)

- 1- Robert Lyne, General Agent,
Metropolitan Hall,
Franklin Street.
- 2- G. W. H. Tyler,
Marshall Street, Between 6th and 7th
- 3- Thomas J. Bagby,
General Agent and Collector,
Wall Street, Between Main and Franklin
- 4- E. A. J. Clopton,
General Agent and Collector,
Corner of Wall and Franklin Streets.
- 5- P. M. Tabb and Son.
- 6- Edward D. Eacho,
Fourteenth Street, near Exchange Hotel.

Of the six above named firms, two were known also to engage

(6) Richmond Whig and Public Advertiser, Dec. 28, 1858

in the selling of slaves. These were Tabb and Son and Edward W. Eacho. Perhaps others sold slaves also, but these were the only two so mentioned in this issue of the paper. (7)

Almost every issue of the local papers carried in stereotyped fashion, advertisements of auctioneers that they would offer for sale fifteen - twenty - twenty five Negroes on a certain date. Sometimes when special lots were sold a brief description of the slaves would be given. The Richmond Business Directory of 1852 contained the names of twenty eight persons designated as slave traders. (8) No doubt there were many others classed as auctioneers, general agents, or commission merchants who were doing as much slave trading as any of the traders listed, but because they dealt in other forms of trade, they preferred not to be listed solely as slave traders.

By 1860 Richmond's slave trade was much larger than it had been before. The Directory for 1860 grouped the dealers of the city separately in the following manner: (9) Fifteen Negro traders; fifteen agents, general and collecting; and twenty auctioneers. Five of these firms listed as auctioneers or agents also had a note by their names stating that they sold and hired slaves. Comparing

(7) Richmond Whig and Public Advertiser, Dec. 28, 1856

(8) Bancroft, Frederick L. - Slave Trade in the Old South P.P. 96 f.n.

(9) Ibid P.P. 96 f.f.

the list of firms given in this manner by the Directory with the advertisements appearing in the local papers it is quite evident that not more than a third of the persons dealing in slaves were so listed by the Directory. Bancroft says there was evidently much private buying and selling that involved no publicity.(10) Because of this fact only a part of the trade could be learned from the newspapers and advertisements. In 1856 persons engaged as agents for the hiring of Negroes were required to pay a State license tax of \$25.00. (11) In 1862 (12) this tax was increased to \$75.00. By 1863 the tax had been increased to \$175.00. (13) Not only were these places of business required to pay a State license tax, but they were also taxed by the City of Richmond. In 1859 keepers of Negro jails and agents for the hiring out or selling of slaves were divided into three classes. The first class in each of these groups was required to pay a city tax of \$50.00, second class \$30.00, and the third class \$20.00. At the same time auctioneers were divided into eight classes and were taxed as follows: First class \$2,000; second class \$1,600; third class \$1,200; fourth class \$1,000; fifth class \$750; sixth class \$500; seventh class \$250; and eighth class \$100. (14) Hirers and sellers

(10) Bancroft, Frederick L. Slave Trade in the Old South P. 96

(11) Acts of General Assembly 1855-1856, P. 14

(12) Acts of General Assembly 1861-1862, P. 15

(13) Acts of Adjourned Session - at Richmond 1863

(14) Richmond City Ordinances 1859, P. 77

of slaves in 1861 were grouped into four classes and taxed as follows: First class \$80; second class \$50; third class \$30; and fourth class \$20. (15) Then again in 1863 the tax rate on the first class was increased to \$100 while the other three classes remained the same as in 1861. (16)

As has been said before it was almost a daily occurrence to see advertisements of the sale of slaves. The red auctioneer's flag was a familiar sight along the principal streets of the business area. Whenever such sales were in progress the audiences varied from one or two to a hundred or more. Many of those in the audience were merely spectators, present in an endeavor to satisfy their idle curiosity. Some of the spectators were well dressed and gave the appearance of possessing wealth. (17) The Negroes when brought into the city to be sold were often poorly dressed but when they were presented at the auction block to be sold they were quite different in appearance. Their masters had usually fitted them out in new clothes, simple and inexpensive it is true, but never-the-less comfortable and serviceable. There were several stores in the immediate neighborhood of the slave marts with which the furnishing of such clothing was a special business. (18) The idea back of dressing up the slaves to be sold was that in making a good appearance

(15) Richmond City Ordinances passed March 4, 1861. In Manuscript in City Clerk's Office, Richmond.

(16) Ibid., passed Feb. 24, 1863

(17) Bancroft, Frederick L. Slave Trade in the Old South, P. 104

(18) Ibid., P.P. 104 - 105

at the block their sale price would be increased more than enough to offset the cost of the new clothes..

The slaves offered for sale were always carefully inspected by prospective buyers. Good health and physical condition were among the primary things that were looked into when a person was buying a slave. Prospective buyers were careful to examine the arms and legs for physical strength. The men and boys were taken to a separate section of the mart, undressed and given a rigid inspection for defects such as scars from floggings, or indications of diseases. The women's backs were also examined for scars from floggings. The slave was questioned closely regarding age, what work he or she had done and could do, where raised and by whom, married or single (if woman, how many children she had), and why he or she was being sold. Through all of this Olmstead says that he saw no apparent unnecessary rudeness or brutal action on the part of those handling the slaves. (19)

I saw no whips, chains, or other engines of force. Nor did such appear to be required. All the lots took their seats on two long forms near the stove; none showed any signs of resistance; nor did any one utter a word. Their manner was that of perfect humility and resignation.(20)

The average prices of slaves during the winter of

(19) Olmstead, Frederick Law - A Journey in the Seaboard Slave States in the Years 1853-1854- P. 39

(20) Ibid, P. 38.

1853-1854 were given by Olmstead as follows: (21)

Best men 18 to 25 years old	\$1200 - \$1300
Fair men 18 to 25 years old	950 - 1050
Boys 5 ft.	850 - 950
Boys 4 ft. 8 in.	700 - 800
Boys 4 ft. 5 in.	500 - 600
Boys 4 ft.	375 - 450
Young women	800 - 1000
Girls 5 ft.	750 - 850
Girls 4 ft. 9 in.	700 - 750
Girls 4 ft.	350 - 452

During the next five years there was a great increase in the prices of slaves as was shown by an editorial in one of the Richmond newspapers. (22) The average prices in 1859 were:

No. 1 men	20 to 26 from	\$1450 - \$1500
Best plough boys	17 to 20 from	\$1350 - \$1425
Boys from	15 to 17 from	1250 - 1375
Boys from	12 to 15 from	1100 - 1200
Best grown girls	17 to 20 from	1275 - 1325
Girls from	15 to 17 from	1150 - 1250
Girls from	12 to 15 from	1000 - 1100

From the advertisements appearing in the newspapers during the period just prior to the Civil War it seems that the months of December and January were the main hiring months for slaves. The editor of the Richmond Dispatch (January 3, 1853) wrote:

Saturday the streets were thronged with Negroes, hirers, owners, and buyers as is the annual custom. Thousands of dollars changed hands, thousands of Negroes changed homes and masters. During the remainder of this week the streets will be filled with Negroes brought in from the country for hire.

(21) Olmstead, Frederick Law - A Journey in the Seaboard Slave States in the years 1853-1854. P. 38

(22) Richmond Enquirer, July 29, 1859.

Similar statements may be found in other papers and on other days during December and January.

It was also during this period, 1850-1860, that masters permitted their servants to have a voice in the choosing of masters when being hired out. Sometimes the Negroes even went to visit the proposed new home to see how things looked even though the owner and hirer had agreed on the price of hire. Often these Negroes asked for and were granted certain concessions, such as: friends being allowed to see them or that they be allowed to visit friends. (23) In regard to this practice an interesting anecdote is told on Judge Lomax. (24) The Judge desiring to hire a dining servant went to one of the general hiring places of Richmond for that purpose. He found a boy who seemed to have all of the qualifications required and at a price which was satisfactory. The boy also seemed to like the appearance of the Judge, but, not being personally acquainted with him, asked that he be given a day's delay so that he could look into the character and standing of his prospective new master.

(23) Phillips, U. B. - American Negro Slavery. P. 408

(24) Richmond Daily Dispatch, Dec. 29, 1856

Chapter IV

Slave Labor

Prior to the time when Joseph Reid Anderson became affiliated with the Tredegar Iron works as commercial agent in 1841, the Tredegar works were run by white workmen except for a few Negro stevedores. These white workers were largely foreigners or American mechanics who had come down from the North. But this was a policy foreign to that of the older Virginia industrialists who, contrary to the views of some of the economic historians, had always used the Negro profitably in the iron industry.

In 1842 when the Tredegar directors called upon Joseph R. Anderson for suggestions regarding curtailments in the expenses of the business, he immediately presented a plan which proposed a reduction in the cost of labor. This plan called for trained slave helpers, supervised by white men. It further proposed that the trained white workers should be given a five year contract as protection for them, and in addition to this, Anderson pointed out that according to the anticipated plan of operation, twenty-two Negroes could be used in the professional part of the business. He estimated to hire this number at the average rate of hire prevailing at that time would save the company \$11,181 annually considering the operating cost under the present system. To own these Negro workers the annual operating

expenditure would be \$12,281 less than under the system then in use. It was in view of the difference in these figures that Anderson advised the company to buy Negroes from time to time. The Tredegar board adopted the Anderson plan and it was put into operation as soon as practicable.

(1)

By 1845 Anderson had become the lessee of Tredegar works and was steadily expanding its operation. In October of that year the Tredegar books showed that the firm owned twenty-four slaves in addition to the number hired. (2) After that year the Negro, whether hired or owned, continued to play an important part in the expansion of the operations of the leading iron works South of the Potomac.

The above plan of operation seemed to work well in the Tredegar works for a period of two years. In 1847 Anderson had his first experience with a strike. The white workers, from fear that the Negroes would in the course of time replace them in the mills if they continued to work with them and train them, went on a strike. Anderson, the shrewd master and business man that he was, did not for an instant allow the strike to change his mind or plan of action in regard to the employing of Negroes. Handling the situation in a way that enhanced his reputation as a leader

(1) Bruce, Kathleen- Virginia Iron Manufacture in the Slave Era , P. 234

(2) Ibid, P. 234

of no mean ability, the plant continued to operate and the strikers were summoned to court. The evidence in the case, however, pointed out that the strikers had not acted as an organized group or combination for the purpose of closing the iron works. In view of that fact the case was dismissed from court on the grounds that no law had been violated.(3)

The ability of the Negro to endure heat was a great factor in the hiring of Negro slaves for the iron works. Prior to the introduction of the Anderson plan, the Tredegar works had to curtail operations during the hot summer months as many of the white workers would refuse to work.

In 1848, \$100 a year was considered the maximum hire for a Negro mechanic. There are no figures to show the actual saving to the Tredegar works through the use of hired and owned Negroes, however, it is estimated that this was a considerable amount between 1842-1853. (4) About 1853 the price of slave labor and of slaves began to increase considerably and Mr. Anderson had to pay more for slave hire. This increase in some cases amounted to from fifty to seventy five per cent.

Figures found in the Journals of the Tredegar Company show that the number of Negroes employed through hiring or purchasing continued to increase from year to year. (5)

(3) Bruce, Kathleen - Virginia Iron Manufacture in the Slave Era, P.P. 235-236.

(4) Ibid, P. 244

(5) Ibid, P. 247

An advertisement given below appearing in the Richmond Whig and Public Advertiser under date of December 25, 1862 gives some idea of the number of Negroes which the Firm hired.

Five Hundred Negro hands wanted by the Tredegar Iron Works. Negroes to be supplied with very best provisions, which have already been secured, and good clothing provided for them at all seasons of the year.

J. R. Anderson and Co.

According to Anderson's statement of March 28, 1863, he was employing about seven hundred and fifty Negroes in all of the operations in his connection with the iron industry. (6) From 1847, the year of the strike, on through the war he employed slave labor almost wholly with the exception of the white bosses.

The life of the colored workers during this period under discussion presents on the whole a rather sunny picture. This is perhaps a surprising fact to many who would believe that the Negroes in these manufacturing plants led a dull, dreary, and dreadful life. (7) In the Tredegar yards there was a bell which rang at 6:30 o'clock in the morning thus beginning the day. Ten hours with forty-five minutes for dinner at noon constituted the working day. The

(6) Bruce, Kathleen - Virginia Iron Manufacture in the Slave Era, P.P. 247 - 248

(7) Bruce, Kathleen - Slave Labor in the Virginia Iron Industry. P. 30

food consisted largely of boiled cabbage, turnips, hog meat, corn bread, and molasses and was prepared in great abundance by the women cooks in the quarters not far from the mills. After the official day was over the slaves practically became their own masters. Many of them being industrious would work over-time in order to make pocket money for themselves. Mr. Anderson always encouraged such practice and paid well for this over-time work. Some of the Negroes made from \$10.00 to \$15.00 per month in this manner and for the month of May 1860 sixty two Negroes were paid \$217.12 for over-time work. (8) Not only were the Negroes given a chance to make extra money but the iron master made small gifts of money to the hands at Christmas.(9) They were provided with clothing appropriate to the season and the Tredegar Journals show that special provisions were often issued to the sick. (10) Many of the Negroes, thus having no real expense, spent the money earned by over-time work for frivolities and personal finery which they sported in the Negro parades on Sundays. Shoes were one of the chief articles of clothing purchased.

The discipline within the Tredegar works was rather stern but in spite of the tradition that the cat o'nine

(8) Bruce, Kathleen- Virginia Iron Manufacture in the Slave Era, P. 253

(9) Ibid - foot note, P. 253

(10) Ibid - P. 253

tails continually hung in a conspicuous place at the Works there is evidence that it was very seldom used as the books between 1843 - 1865 reveal but seven whippings.

(11) Perhaps the good discipline was due to the attention on the part of the iron-master to the character of his men and by his firm and courteous treatment of them.

One of the most striking cases of manumission in Richmond (there were seventy six such acts from 1850-1860 by which one hundred and thirty slaves became free men) (12) about this time was of the slave Emmanuel Quivers who had been hired by the Tredegar Iron Works. This peculiar case is cited here because it reveals the justice and kindness of the iron-master as well as the integrity and mechanical ability of the Negro.(13) After having been in the hire of Mr. Anderson for six months Quivers went to him and requested that he (Anderson) purchase him and then permit him to buy his freedom. This Mr. Anderson finally did in January 1846 when the contract for Quivers' year's hire terminated, the price paid being \$1,100. In the meantime the Negro had been given a position of responsibility and trust with the understanding that if he performed his duty well he would in the course of

(11) Bruce, Kathleen- Slave Labor in the Virginia Iron Industry, P. 30

(12) Jackson, Luther P. Manumission in Certain Virginia Cities, P. 304

(13) Bruce, Kathleen - Slave Labor in the Virginia Iron Industry, P.P.21-23

time be able to redeem himself. No doubt the master intended this as a training school to equip the Negro for his freedom. The Negro was charged a low rate of interest which he was required to pay year by year, however, when he had completed his redemption the iron-master refunded to the Negro all of the interest which he had paid him. Quivers was treated just as any white man of equal skill. He was given Negro assistants and allowed to make extra money by over-time work in addition to the regular pay which he received. Mr. Anderson also lent Quivers the money to buy the freedom of his wife and children, and while he was working in the iron works to pay this back, his wife was given the opportunity to add to the family income by making shirts for the iron-master's hands. From January 1, 1847 until November 1, 1851 Anderson also furnished the Quivers family with a house and fuel at the rate of \$40.00 per year, and in addition to this aid, he gave the Negro gifts of money from time to time. In 1850 Anderson made it possible for Quivers to go to the free state of California. There he faithfully performed the conditions laid down by Anderson. A short time later he completed the redemption of himself and family which he took with him to California where they became citizens of unusually good standing.

In 1850 there were forty three tobacco factories employing about 2,400 laborers. Many of these laborers were Negro slaves hired by the year as was the case of

those in the Tredegar Iron Works. They were clothed, fed, and housed by the owners of the factories. The working day was on an average of from twelve to fourteen hours with two hours off for meals. They were all given opportunity to earn over-time money which went toward finery in which they bedecked themselves on Sunday to escort their belles to church. In her description of her visit to the tobacco factories, Miss Jones, (14) an English woman who taught in Virginia just before the Civil War, said that some of the Negroes who were at work rolling the leaves of tobacco worked in regular see-saw motion, all in concert, both of action and voice. Most all of the Negroes were singing hymns with a harmony that was very pleasing. Those Negroes who were pressing tobacco went through every motion in drill. Six or eight at a time pulled a great iron lever to turn the press screw, and at each pull they uttered a simultaneous noise in their throats, a sort of half cough, and half bark, each time displaying their white teeth in a grin. All of the workers seemed full of fun and good humor and gave the impression that they were working for their own entertainment and nothing more.

After a trip to Richmond, William Cullen Bryant described Negro life in the tobacco factory as he saw it

(14) Jones - Life in the South - P.P. 15 f.f.

on a tour through a factory making plug tobacco. (15) The Negroes sang as they worked at sorting, grading, and preparing the tobacco to be pressed into plugs. When questioned about the Negroes murmuring songs as they worked, the proprietor's son, who was showing the Bryant party through the factory, explained that such was not an uncommon practice with them. The proprietors would encourage the practice of singing among the Negroes as it seemed to stimulate them and they would do more and better work while singing. The Negroes' taste was for sacred music exclusively and the tunes were always psalm tunes and words from hymn books. It was explained that they would sing nothing else. All of the Negroes in this particular factory were members of the church, the majority of them being Baptist while a few were Methodist. Though the Negroes seemed to enjoy singing and though such appeared to sweeten their lives in the tobacco factory, such had to be voluntary on their part, for bidding them to sing would accomplish little.

The Negroes, working in the iron mills and tobacco factories of Richmond, had to work hard no doubt. But they had greater personal freedom, more opportunity to earn pocket money by over-time work, and a larger variety of associates among the hands of the various factories and in

(15) De Bow's Review - Vol. IX (New Series, Vol. I) 1850-P.P. 325-326

the kitchens of Richmond's leading citizens, than their kinsmen on the isolated plantations. In fact the freedom allowed the factory hands (slaves) was often a subject toward which the editors of the Richmond papers directed direct criticism. Especially was this true of the editor of the Daily Dispatch (16) who from time to time protested against board and lodging money being turned over to slaves; against the practice of allowing slaves to choose their own masters; and against the privilege of working over-time being given slaves which enabled them to make money to spend as they wished. It was claimed that the money thus acquired tempted many of the valuable slaves into drinking, gambling, and careless living which presented itself as no small problem to the city officials. These criticisms, however, were directed at the tobacco factories more than at the slaves of the Tredegar Iron Works. In regard to the employing of white servants the editor of the Dispatch once wrote:(17)

If you employ one of them(meaning Irish girls) you are free from the depredations of prowling Negroes who visit the kitchen and live upon the food of every man in the city who has a Negro woman in his service.

At another time the editor of the same paper wrote:(18)

It is a notorious fact that in nine cases out of ten----private

(16) Daily Dispatch, Richmond, Va. Feb. 15, 1863; Dec. 30, 1853; Jan. 4, 1856; Dec. 7, 1857; and Jan. 18, 1858.

(17) Daily Dispatch, Richmond, Va. Dec. 31, 1853.

(18) Ibid, Dec. 7, 1857

families and hotel keepers have to feed the (factory) servants from their kitchens from one week's end to another. This great evil has been brought on by the manufacturers.

The house servants in the City of Richmond were usually of superior rank.(19) This may be partially accounted for by the fact that Negroes have always had the reputation of being born imitators, and the house servants having more chance to observe the white masters and mistresses in their home took advantage of this and developed that natural instinct to imitate to a higher degree than did the factory hands. Only the more wealthy and well-bred were able to have house slaves. Because of this fact the imitation of the whites was decidedly an uplifting influence for the servants. Another factor which tended to raise the standard of the Negro domestic servants was the fact that their training was usually begun when they were young. The white people were very careful in the training of their house servants. Though they were positive and exacting in giving orders and in seeing that they were carried out, their method of training these servants was such that the Negroes took great delight in trying to follow instructions and do their work about the house in a way that would please the mistress. Nothing seemed to give them more pleasure than kind words of encouragement and

(19) Jones, Life in the South, P. 180

approval from the white members of the household.

The house servants were well treated and though those, who served as personal and chamber maids, were constantly associated with the white members of the household, they were always made to know their places and kept at a distance. (20) In speaking of her landlady in Richmond, Miss Jones, an English lady teaching in Richmond, said that she (the landlady) had a whole Negro family employed in the home. One son acted as special attendant and waited on the table at meals. The girls served as waiting or chamber maids, while others did the cooking. One of the married daughters lived in a tenement in the back yard. Her husband who was employed by a local druggist did odd jobs about the house and yard during spare time. The children played in the yard and were often given small gifts by the boarders.

When Miss Jones first went to board in this Richmond home the slave chamber maid seemed very curious and would linger in the room asking questions and seemingly anxious to learn more about things beyond her own realm. (21) A sudden change in the Negro's manner was thought to have been caused by a reprimand by the landlady who perhaps feared that Miss Jones was instilling ideas of freedom into the Negro's mind.

(20) Jones- Life in the South- P. 144 f.f.

(21) Ibid - P. 146

Slavery in this Richmond home (in which she lived for a while) and in the city as a whole, as seen by the author of Life in the South, was not the horrible institution so often pictured in the North and in free territory. (22)

That the slaves were well taken care of is borne out by an old citizen of Richmond in writing about the severe winters of 1855-1856 and 1856-1857.

The black servants are provided with food, fuel, and clothing, while our poor-houses and other receptacles for the destitute or dissipated whites are crowded to over-flowing----- (23)

Within the city itself the main supply of slaves for hire was composed of the husband, sons, and sometimes the daughters of the house maids of the lawyers, merchants, and doctors who often made a practice of owning entire families. (24) The annual hiring period sometimes brought embarrassment and unusual duties to the household as is brought out by Phillips:

The Negro hiring days have come, the most woeful of the year! So house-keepers think who do not own their own servants; and even this class is but little better off than the rest, for all darkeydom must have holiday this week and while their masters and mistresses are making fires and cooking victuals or attending to other menial duties, the Negroes are promenading the streets decked in

(22) Jones- Life in the South, P. 148

(23) Mordecai, Samuel- Richmond in By-Gone Days, P. 355

(24) Phillips, U. B.- American Negro Slavery, P. 407

their finest clothes. (25)

Relationship with the domestic Negro servants of Richmond was usually considered very good up until the winter of 1863-1864. During this winter they became very vexing and irritating. Servants who had been with families for a long time and had been trusted to the utmost now began to steal large quantities of clothing and jewelry from their mistresses. Sometimes this would run up into the thousands of dollars in valuation. This type of theft took place when the mistress would leave a trusted servant in charge of the house while she was out for a while. On returning she would find the servant and valuables gone. This was no doubt due to under-ground agencies, working among the Negroes.

Just before the war, Negro labor was employed on the public works of the city. Slaves were hired by the city to work on the streets. These slaves were under the management of the overseer of city hands and were to be furnished with proper food, clothing, and lodging. (26)

On July 1, 1861 an ordinance was passed by the Virginia Convention authorizing the counties or corporations to enroll male free Negroes between the ages of 18 and 50 for public service. (27) This act gave the commanding officer

(25) Phillips, U. B.- American Negro Slavery P. 408. Quoted from Richmond Whig and Public Advertiser, Jan. 5, 1859.

(26) Richmond City Ordinances - 1859, P.P. 163-164

(27) Acts of the Assembly, 1861 P. 67 of Ordinances.

the power to make requisitions and provided that the Negroes so employed should be entitled to such compensation, rations, quarters, and medical attention as was other labor of similar character employed in public service. Under the terms of this act no free person could be detained for more than sixty days at one time without his consent. (In 1862 the time was changed from sixty days to one hundred and eighty days). (28) While the Negroes were thus engaged in public work they were subject to the rules and articles of war, and the penalty for failure or refusal to obey the requisitions was the same as that for a person who refused to obey the draft.

In 1858 the Governor was empowered to employ free Negro convicts on public works for the whole or any portion of the term for which they may be so sentenced. (29) This act was amended in December 1861 so as to give the Governor power to sentence free Negro convicts to work in or be hired to proprietors of iron works engaged in making iron to be used in manufacturing munitions of war for Virginia or the Confederate Government, or any salt works, or internal improvement company. (30)

Under date of October 10, 1862 President Davis wrote Governor Letcher calling for forty-five hundred Negroes to be employed upon fortifications. (31) In the second paragraph

(28) Acts of Assembly 1861-1862, P.P. 61, 62, 63

(29) Acts of Assembly 1857-1858, P. 39

(30) Acts of Assembly 1861-1862, P. 103

(31) Calendar of Virginia State Papers, Vol. XI, P. 224

of the letter the Negroes were referred to as slaves, therefore, it is assumed that he meant Negro slaves. In the same letter specific mention is made regarding the necessity for completing the works for the defence of Richmond. By November 6, 1862 there were five thousand Negroes working on the fortifications near the city, and two thousand five hundred more working on the Piedmont Railroad. (32) By January 14, 1863, four thousand more Negroes had been called to work on the fortifications near Richmond. It was estimated that there were as many as ten thousand at this work at that time. (33)

Mrs. Stanard tells that hired Negro laborers swung their picks throwing up barriers against the forces coming to free their race. While engaged at this work they chanted spiritual melodies keeping time with rhythmic movements of their bodies and one of the songs most often sung was Dixie. (34)

On January 7, 1863 Jones, a clerk in the War Department of the Confederacy, wrote in his diary:

A large body of slaves passed through the city today, singing happily. They have been working on the fortifications North of the city, and now go to work on them South of it. They have no faith in the efficacy of Lincoln's Emancipation. (35)

(32) Jones- A Rebel War Clerk's Diary, Vol. I, P. 183

(33) Ibid, P. 237

(34) Stanard- Richmond, Its People and Its Story, P.170

(35) Jones * A Rebel War Clerk's Diary, Vol. I, P.233

Chapter V

The Legal Status of the Negro

To cite all of the laws found in the acts of the General Assembly, the ordinances of the City of Richmond, the court records, and newspapers of the period, that had a direct application to the Negroes would take many pages within itself. Then, too, such a presentation might prove monotonous to the reader, however, and attempt will be made to present enough of such material to show the general position of the Negro relative to the laws of the day.

Until the last decade of the eighteenth century, there was little restriction on the free Negro in Virginia, however, in 1793 an act was passed prohibiting free Negroes from coming into the State from any source to take up permanent residence. (1) After 1848 no free Negro could leave the State for the purpose of education or go for any purpose to any non-slave-holding state and return. At the same time the General Assembly passed an act which made it unlawful for slaves emancipated after 1806 to remain in the State more than one year after being emancipated without permission granted them by the courts of the counties or corporations as provided for under the laws of the State.(2)

If convicted of this he could be sold at auction

(1) Hening - Statutes at Large of Virginia- Vol.XIV ,P.239

(2) Acts of Assembly- 1847-1848, P.P.118-119

by the sheriff or sergeant and the proceeds of the sale went into the treasury of the State. This law was never strictly enforced and unless such free Negroes caused trouble, they were usually allowed to stay within the State.

It was also unlawful for free persons to bring free Negroes or mulattoes into the State. (3) By Act of the General Assembly of 1847-1848 such action was made punishable by confinement in jail for a period of not more than six months and a fine not to exceed \$500.00. Servants and employees of steamboats were excepted in the above law, provided they were not allowed to go at large. If such Negro servants or employees should leave the ship without permission from the local law enforcing officials, the act was punishable by stripes not to exceed thirty-nine in number.

In 1793 every free Negro of the State was required to register in the county or corporation court where he was a resident. (4) For a fee of twenty-five cents these persons were entitled to a copy of their register. Free Negro residents of the City of Richmond above the age of twenty-one years who were found going at large without a copy of the register mentioned above were subject to punishment by stripes not exceeding thirty-nine or a fine not exceed-

(3) Acts of Assembly - 1847-1848, P. 119

(4) Hening, Statutes at Large of Virginia, Vol. XIV, P. 238

ing \$10. A free Negroe who came into the city from any county or corporation within the State and remained more than two months without being registered in the hustings court of the city of Richmond and obtaining an attested copy of his register was considered, treated, and punished as were free resident Negroes going at large without a register.(5) Free persons who employed the free Negroes mentioned above were subject to a fine of \$5.00 for every day such free Negroes were employed.

In the summer of 1858, Mary Brown, a free Negro woman, was brought before the Mayor and charged with having papers from New Kent County and remaining in the city after having been ordered away by the Mayor on a previous occasion. The Mayor was lenient toward her even in this second offense and dismissed the case after again ordering her to leave the city. (6) Another case of a similar nature was that of Fanny Locklin, a free Negro from King and Queen County, charged with living in the city without proper papers. The Mayor ordered the Negro punished and that she leave the city. (7) On the same day Robert Smith, a free Negro charged with being drunk and with having escaped the chain gang, was ordered by the Mayor to receive separate punishment for each offense.

(5) Richmond City Ordinances, 1859 - P.P.197-198

(6) Richmond Whig and Public Advertiser- July 30, 1858

(7) Richmond Inquirer, Nov. 20, 1860.

In July 1861 three free Negroes who claimed to be attached to different volunteer companies that were in the State, but were within the city without proper papers were committed to jail by the Mayor until they should be called for. (8)

The two city ordinances passed on July 13, 1863, and quoted below show the treatment accorded both resident and non-resident free Negroes. (9)

An Ordinance concerning Free Negroes
passed July 13, 1863

Be it ordained by the Council of the City of Richmond that no free Negro shall be permitted to come into the City of Richmond for the purpose of trading or for any other purpose unless he shall first obtain from a justice of the peace of the county in which he resides a certificate of his good character and loyalty and endorsed by the Mayor.

That the police officers might watch and clerk of the markets shall oust all free Negroes without such certificates.

Every free Negro violating this ordinance shall be punished with stripes, at the discretion of the Mayor.

An Ordinance relating to non-resident
Free Negroes
passed July 13, 1863

Be it ordained by the Council of the City of Richmond. That the Mayor of the City is hereby authorized to oust all non-resident free Negroes found in this City other than such as regularly sell in the markets and put

(8) Richmond Inquirer, July 26, 1861

(9) Richmond City Ordinances, 1863; passed July 13th
Manuscript in City Clerk's Office, Richmond.

them to work upon the batteries and other public works erected or being erected around and about this City, in same manner as the Court of Hustings' Mayor and Aldermen of this City are authorized by law to put and place upon such works the resident free Negroes of the City of Richmond.

Under the ordinances of the City if a fine was imposed against a slave, the Mayor or other justice trying the case could at his discretion render judgment against the owner or employer of the slave. (10) When the penalty specified stripes they were of course inflicted upon the slave and in no case could more than thirty-nine stripes be inflicted in any one day upon the same offender. If a free Negro was tried and convicted, the Mayor or justice trying the case could at his discretion according to law render judgment against the accused for a specified fine, time in prison, or the infliction of stripes not to exceed thirty-nine.

A white person convicted of unlawfully beating a slave was subject to a fine of not less than \$1.00 nor more than \$20.00 for each offense, whereas free Negroes convicted of the same offense could be fined or punished by stripes at the discretion of the court. (11)

Trading with Negroes in Richmond was regulated by both State laws and City ordinances. Free persons were prohibited by law from buying or receiving from, or selling

(10) Richmond City Ordinances, 1859 - P.P. 252-253
 (11) Richmond City Ordinances, 1859- P.22

to slaves any commodity whatever, without the written consent of the owner or manager of the slave. (12)

In addition to the general Act mentioned above, there were also Acts which designated specific articles which were illegal to be sold to slaves. One of these Acts specifically prohibited the sale of wine, liquor or ardent spirits, or mixtures thereof by any free person to any slave without the written consent of the master or owner of such slave. (13) The penalty for violating the above Act was a fine not to exceed \$50.00 and if convicted on a second offense the license of the convicted man was to be forfeited.

While the above laws applied to the sale of intoxicants to slaves there was also a law dealing with the sale of such to free Negroes. This Act made it unlawful to sell wine, ardent spirits, or mixtures thereof to free Negroes unless it was upon a written certificate of three or more justices of the peace that the said free Negro was of good character. (14) There were also city ordinances paralleling these State laws. The city ordinance making illegal the sale of wine, ardent spirits, or mixtures thereof to slaves to be drunk at the place where sold made the offender subject to a fine of from \$5.00 to \$20.00 if a white person. If a free Negro committed such an offense he was subject to a similar

(12) Acts of General Assembly, 1847-1848, P. 117, Par.28

(13) Ibid, P. 118

(14) Acts of General Assembly, 1857-1858, P. 52

fine or by stripes at the discretion of the justice trying the case. (15) A similar ordinance prohibited the sale of wine, brandy, whiskey, or other ardent spirits, or a mixture thereof to any free person for consumption on the premises unless the person or persons making the sale had a license to keep an ordinary on the said premises. (16) The penalty for violating this ordinance was fixed at a fine of from \$5.00 to \$20.00 if the person convicted was a white person, and if a Negro, he was given a similar fine or was punished by stripes at the discretion of the justice.

It was unlawful to sell poisonous drugs to Negroes either free or slave except with the written permission of the owner in case of a slave. (17) For a violation of this Act, the offender was subject to a fine of \$500.00 and a jail sentence of not less than one nor more than two years. One-half of the fine in such a case was to go to the informer and one-half to the Commonwealth. There was also a City Ordinance which provided that persons selling or furnishing medicine or drugs to slaves without written order from owner or employer specifying the kind and quantity to be furnished, or upon order or prescription of a doctor, were fined not to exceed \$10.00. (18) This same Ordinance prohibited slaves from administering medicine to any person except by the consent of

(15) Richmond City Ordinances of 1859, P. 197

(16) Ibid, P. 247

(17) Acts of Assembly, 1855-1856, P. 45

(18) Richmond City Ordinances of 1859, P. 199

the master. Punishment for violation of this was fixed at stripes not exceeding thirty-nine. Free Negroes could administer medicine only to free Negroes and punishment for violation was not to exceed thirty-nine stripes.

Persons who gave, lent, or in any way furnished Negroes, slave or free, with any kind of weapons, fire-arms, or munitions were subject to a fine of \$20.00 for each and every article sold, given, or lent, or otherwise furnished. Negroes keeping or carrying any such weapons were subject to stripes not to exceed thirty-nine at any one time. (19)

During the pre-war and war years in Richmond there were in existence ordinances setting forth what would be considered an unlawful assemblage of Negroes.

Whenever five or more Negroes shall assemble together on any foot-walk in front of, or immediately adjoining any church or other house devoted to religious worship, or shall loiter upon said side-walk, or shall remain in or loiter about any such church or other house of religious worship, thirty minutes after divine service therein for the morning or afternoon of that day shall have concluded, the said Negroes so assembled, and being together upon such side-walk, or loitering in or about the said church or house, shall constitute an unlawful assembly of Negroes, and any Negro found thereat may be punished by stripes, not exceeding fifteen.

Whenever any free person shall in this city (Richmond) permit to be at any one time on his lot or tenement more than

five Negroes, other than those belonging to him or hired by him, such assembly, whether the Negroes be free or not, shall be an unlawful assembly of Negroes. (20)

Negroes convicted of violating the above ordinances were subject to punishment by stripes. The person or persons permitting such unlawful assembly on his premises could be fined not less than \$5.00 nor more than \$20.00 for such offense.

An Act of the General Assembly of 1847-1848 made it unlawful for any person to permit more than five slaves other than his own to be on his plantation, lot, or tenement at any one time. (21) Such an assemblage of more than five Negroes constituted an unlawful assemblage.

A Richmond newspaper of 1853 gives an account of the breaking up of a Negro rendezvous in the city. (22) For several months the attention of the police had been directed toward a house in Exchange Alley that was kept by a free Negro named Richard Taylor. The place was considered a nuisance but they were unable to get any lead which would give them the power to swear out a warrant against Taylor so that they might bring him to trial. Finally a Negro belonging to a Mr. J. P. Ballard was taken into custody for some improper conduct and upon being questioned gave the police information which led to Taylor's arrest. After the Mayor heard the testi-

(20) Richmond City Ordinances - 1859, P.P. 199-200

(21) Acts of General Assembly - 1847-1848, P. 120

(22) Daily Dispatch, Nov. 30, 1853

mony of several Negroes, he fined Taylor \$20.00 in two cases for selling ardent spirits to slaves in violation of the laws of the State, and required him to give bail for his future good behavior in the sum of \$100.00, and further ordered him to be given fifteen lashes under an ordinance of the city. Any free Negro who knowingly allowed any slave to remain upon his lot or tenement, or any lot or tenement held by him more than four hours during the day-time, or for any time at night, without the written consent of the owner or employer of such slave was subject to be punished by stripes not to exceed thirty-nine. (23)

It was also unlawful for a slave to be absent from his owner's premises two hours after sunset without a written pass. (24) The ordinance governing such absence on the part of a slave provided that an offender should be punished by stripes. If a slave was given a pass it should designate the place or places which he could go and state the purpose for which he was allowed to go. If more than one place was designated on the pass, it was good for only one night; but if it designated only one house or place to which the slave might go before eleven o'clock at night it might be given for any time up to but not exceeding one month, provided it bore the written assent of the person who occupied such

(23) Richmond City Ordinances, 1859, P. 197

(24) Ibid, P.P. 194-195

house or place. In the case of forged passes, if a white person was convicted of such he was subject to a fine not to exceed \$20.00 and a Negro convicted of a similar offense should be punished by stripes.

That the Richmond officials upheld the ordinances referred to above is shown by a few of the cases tried in the Mayor's court. Joseph Sleade, the owner of a meat shop and eating place at twenty-fourth and Main Streets, was fined \$15.00 for permitting an unlawful assembly of Negroes in his house. (25) Three Negroes, belonging to Archer Thomas, were ordered by the Mayor to be flogged for being in an unlawful assembly at the shop of Lawrence Martin, at the corner of Broad and Third Streets. (26) On the same day a complaint against a gang of Negroes employed in the Turnley and Holstead tobacco factory caused the Mayor to adjourn court to the factory where he continued the hearing of the case. The Negroes who had been accused of carousing in a disorderly manner at a late hour of night were ordered by the Mayor to be punished with stripes. Another case was that of Bob Smith, a free colored man, who was ordered punished for allowing slaves to assemble at and gamble in his house. (27)

On a Sunday night in September 1860 one of the city policemen observed an unusual number of Negroes passing up

(25) Richmond Whig and Public Advertiser, July 23, 1859

(26) Ibid., Sept. 4, 1860

(27) Ibid., Oct. 23, 1860

Grace Street in squads, and apparently all bound for the same destination. The policeman followed the Negroes and found them congregating in the yard of a Mr. Gordon. He summoned aid from his fellow police and raided the group which consisted of about one hundred and twenty. About fifty-four of them were driven into the kitchen while the others scattered and got away. The prisoners were carried to the jail and taken before the Mayor the following morning. Upon hearing evidence in the case it was discovered that the party had been to a tea or feast in honor of one of the Gordons' slaves who was going to the country the next day. The Mayor dismissed the women in the case with a warning and ordered the men given a few lashes. (28) In order to prevent the Negroes from having a chance to get together to plan uprisings or other deeds of evil by group action there was an ordinance which dealt specifically with secret societies. (29) This ordinance made it illegal for any Negro to organize any secret society of Negroes and provided a penalty of stripes not to exceed thirty-nine at any one time. The same penalty was provided for those who attended any such secret society.

There were ordinances which designated certain places where Negroes were not allowed to walk and restricting them

(28) Richmond Whig and Public Advertiser, Sept. 18, 1860

(29) Richmond City Ordinances, 1859, P. 196

in regard to their activities on the side-walks of the city. (30) Negroes were not allowed to stand on the side-walks at the inconvenience of white persons passing by, nor were more than five Negroes allowed at any one time to stand at or near the corner of a street or public alley. In walking on the side-walks, they were required to walk on the outside when passing or meeting a white person, and if it were necessary to enable the white person pass, they were further required to get off the side-walk. Negroes were not allowed to walk or be in the Capital Square, or in the grounds adjacent to the city spring or City Hall, or be within the enclosure of any of the places known as city grounds unless they were in the attendance of or service of a white person. They were not allowed within the walls of any public burying ground except to attend the funeral of their owner or employers or some member of their family, or to serve their masters or owners. Punishment for the violation of these ordinances was by stripes.

Not only were Negroes restricted regarding where they could walk or what they should do in meeting or passing white people on the side-walks but they were not allowed to smoke in public places or streets. (31) A case in the Mayor's court coming under this ordinance was that of John, the slave of E. Bossieux, who was sentenced to be flogged for

(30) Richmond City Ordinances - 1859, P. 196

(31) Ibid., P. 195

smoking a cigar in a public street. (32) Among the white also, it was not considered gentlemanly to smoke in public places in the presence of ladies.

Negro drivers in Richmond who failed to pull their team to their side of the street when meeting another vehicle or who left team and vehicle standing in the middle of the street or at an intersection were liable to punishment by stripes.(33) A white person guilty of a like offense was subject to a fine of from \$5.00 to \$20.00. A Negro driver of a hack could be punished with stripes for refusing to take passengers . (34) Slaves in the city were not allowed to ride in a licensed hack or carriage without the written consent of their owners or employers or some white member of their family. (35) For a violation of this ordinance it was the driver of the hack or carriage who was liable to punishment rather than the slave rider. If such a driver was white he was liable to a fine of not less than \$5.00 nor more than \$20.00 , and if the driver was a Negro the act was punishable by stripes not to exceed thirty-nine at any one time.

The charter of the City of Richmond as amended in 1852 gave the council the authority to prohibit Negroes from having or keeping dogs or hogs within the city limits. (36) Act-

(32) Richmond Whig and Public Advertiser, Sept. 18, 1860

(33) Richmond City Ordinances, 1859, P. 179

(34) Ibid., 1859, P. 191

(35) Ibid., 1859, P. 195

(36) Ibid., 1859, P. 12

ing under the authority thus given them the council passed an ordinance which provided that every hog or dog found in the possession of a slave should be forfeited to the city. The dogs were to be killed and the hogs sold for the use of the city. Slaves who were found to possess such animals were to be punished by stripes. (37)

Any free white person who rented or hired a house, lot, or tenement, or any part thereof to a slave was liable to a fine of not less than \$5.00 nor more than \$10.00 for every day that such property should be held by the slave. If a free Negro committed a like offense he was subject to punishment similar to that stated above at the discretion of the justice, or by stripes not to exceed thirty-nine for each day the property was held by the slave.

White persons who wilfully destroyed or defaced public property were liable to a fine of not less than \$2.00 nor more than \$20.00. Negroes guilty of a similar offense were punished by stripes. (38) This ordinance had the approval and sanction of the Governor and, therefore, it applied to capital property as well as city property.

Negroes, free or slave, were not allowed to carry canes at night unless it was because of their infirmity or for their owners or employers. (39) Violators of this city law were punished by stripes.

(37) Richmond City Ordinances, 1859, P.220

(38) Ibid, 1859, P. 246

(39) Ibid, 1859, P. P.P. 195-196

No slave was allowed to keep a cook shop, eating house, drinking saloon, or storage place for the sale of anything, unless the owner or hirer of said slave resided in the same house. Slaves were further prohibited from selling anything on the streets except such things as were raised by their owners. Not only were the slaves restricted as stated above, but the same ordinance prohibited free Negroes and mulattoes from selling newspapers about the markets and depots. (40) Violations of any parts of the above ordinance were punishable by stripes at the discretion of the Mayor.

The newspapers of the period and the records of the Mayor's Court almost daily contained records of numerous Negro cases involving such things as thefts, fights, petty quarrels, and other minor misdemeanors but there is little if any reason to believe that such was more common then than today. A case which attracted the attention of people throughout the entire United States was that of the runaway slave, Anthony Burns, who at the time of his running away was in the hire of a Richmond druggist named Millspaugh. In February 1854, Burns stowed^{away} on a vessel leaving Richmond for the North and landed in Boston. Colonel Suttle of Virginia who owned Burns learned of his whereabouts and went to Boston to bring his slave back. After

(40) Richmond City Ordinance, passed October 10, 1864 and found in Manuscript in the City Clerk's Office.

a prolonged legal battle in which anti-slavery men unsuccessfully attempted to prevent Colonel Suttle from taking Burns from Boston, the fugitive was finally returned to his owner and brought back to Virginia. (41) When Burns arrived in Richmond in charge of a United States Marshal, crowds thronged the city wharf to see the Negro. (42)

There were in Virginia two classes of laws governing slaves. One class recognized slaves as property ; the other recognized them as persons and dealt with them accordingly.

Slaves were also considered as chattels or personal property. In this respect they were not taken under execution to pay a debt when there were other goods to satisfy it. When an estate was divided the slaves were divided as was the real property. (43)

As persons the slaves were recognized as religious and morally responsible beings with rights secured by law and penal sanction. They were subjects of legal punishment, and were protected against crimes upon their persons by legal penalty against the offender. They were capable of all offenses of which a white man was. The laws further stated that the slave masters had to provide for and main-

(41) Channing, History of the United States, Vol. VI, P.107

(42) Christian W. Ashbury- Richmond - Her Past and Present, P. 182

(43) DeBow's Review, Vol. XXIII, 1857, P.P. 564-566

tain their slaves regardless of whether they were strong and able-bodied and able to work, or whether they were sick, aged, and infirm.

Thus it was that slaves were considered both property and persons, neither alone.

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